

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEREMIAH F. HERBERT,

Plaintiff,

-against-

CHARLES LYNCH; PHILLIP NIOSI;
SHEROLA; HAROLD L. SMITH; M. MOYER;
and DILPALMA,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 10/19/2022

22-CV-6303 (NSR)

ORDER

NELSON S. ROMÁN, United States District Judge:

The Court is in receipt of *pro se* Plaintiff's Motion for Preliminary Injunction and Temporary Restraining Order (ECF No. 11), filed by *pro se* Plaintiff on October 17, 2022. On September 14, 2022, the Court ordered the Clerk of Court to issue summonses to Defendants and deliver to the U.S. Marshals Service all documents necessary to effect service. (ECF No. 7.) As of October 19, 2022, no proof of service upon Defendants has been filed. Accordingly, the Motion is DENIED without prejudice to renew at such time as proof of service upon Defendants is filed on the docket.

The Clerk of Court is directed to terminate the motion at ECF No. 11. The Clerk of Court is respectfully directed to mail a copy of this Order to *pro se* Plaintiff at his address listed on ECF and to show service on the docket.

SO ORDERED.

Dated: October 19, 2022
White Plains, New York



NELSON S. ROMÁN
United States District Judge